

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 19, 2002

DIVISION ONE

Court convened at 9:00 a.m.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux, Deputy Clerk.

Each of the following:

B149069 People v. Hogan et al.
B150747 People v. Williams
B151257 People v. Rosario
B151585 People v. Huynh
B152002 People v. Leon V.
B152018 People v. Caldwell
B152869 People v. Arlester H.
B153048 People v. Cooper
B154176 People v. Hayes
B154543 People v. Rodriquez
B154813 People v. Fred S.
B155202 People v. Reese
B155542 People v. Fowler
B156748 In re Jonathan G./DCFS v. S. G.
B156871 People v. Gill
B157450 People v. Ray
B158959 Deandre F. v. Superior Court; DCFS

Argument waived, cause submitted.

B152263 Rashti, et al.
 v.
 Davidson

Appearances:

Larry Epstein for respondent and no appearance for appellant. Counsel waives the presence of Spencer, P.J. Argument waived, cause submitted.

DIVISION ONE (Continued)

B153275 People
 v.
 Enriquez

Merits:

Argued by Allen G. Weinberg for appellant and by Laura Hartquist, Deputy Attorney General, for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

J. Mallano leaves the bench.

B155524 Ezell
 v.
 Eldridge

Merits:

Argued by Fred N. Gaines for appellant and by Russell J. Thomulka for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

B153198 Ellis
 v.
 Ellis

Merits:

Argued by Lee Ellis, appellant in propria persona and by Tammy Nakada, Deputy District Attorney, for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

J. Mallano returns to the bench.

B153545 People
 v.
 Jamerson

Merits:

Argued by Vanessa Place for appellant and by Betty B. Chim, Deputy Attorney General, for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

DIVISION ONE (Continued)

B149085 Kmart Corp.
 v.
 Westwood Equity I, et al.

Merits:
Argued by Peter Abrahams for appellant and by H. Steven Schiffres for respondents. Counsel waive the presence of Spencer, P.J. Cause submitted.

B151985 McCarthy, et al.
 v.
 City of Los Angeles

Merits:
Argued by Mark P. Geffon for appellants and by Lisa Berger, Deputy City Attorney, for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

Justice Mallano leaves the bench.

B144648 Community Redevelopment Agency of the City of LA
 v.
 Berkett, et al.

Merits:
Argued by Brant H. Dveirin for appellant and by John S. Peterson for respondents. Counsel waive the presence of Spencer, P.J. Cause submitted.

Justice Mallano returns to the bench.

Justice Vogel leaves the bench.

August 19, 2002-(Continued)

DIVISION ONE (Continued)

B149086 Russo
v.
Kennedy, et al.

Merits:
Argued by Marcus J. Bradley for appellant and by M. Alim Malik for respondents. Counsel waive the presence of Spencer, P.J. Cause submitted.

Justice Vogel returns to the bench.

Justice Mallano leaves the bench.

B151018 People
v.
Norwood

Merits:
Argued by George L. Schraer for appellant and by Robert David Breton, Deputy Attorney General, for respondent. Counsel waive the presence of Spencer, P.J. Cause submitted.

Court adjourned.

DIVISION TWO

B156204 People (Not for Publication)
v.
Rita W.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

DIVISION THREE

B157414 People (Not for Publication)
v.
Estes

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B154691 Los Angeles County, D.C.S. (Not for Publication)
v.
Warren W.

The order is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B151112 People (Not for Publication)
v.
Woodz

In case MA006381, the trial court's order denying the motion to vacate the 1993 conviction is affirmed. In case MA020115, the judgment is modified to strike the one-year enhancement imposed pursuant to Penal Code section 667.5, subdivision (b) and the trial court is directed to prepare and forward to the Department of Corrections a modified abstract of judgment reflecting that change. In all other respects, the judgment in case MA020115 is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

August 19, 2002-(Continued)

DIVISION FOUR (Continued)

B150883 People v. Padilla

(Not for Publication)

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B155484 Los Angeles County, D.C.S. (Not for Publication)
v.
Irma R.

The order is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B149534 People (Not for Publication)
v.
Collins

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FOUR (Continued)

B155266 Cochran Investment Co. (Certified for Publication)
v.
Bank of America

The judgment is reversed. Costs on appeal are awarded to Cochran.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B156111 A'Giza (Not for Publication)
v.
Khare, et al.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FIVE

B158491 Lisa F. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services et al.,
r.p.i.)

The petition is denied.

Grignon, J.

We concur: Turner, P.J.
Armstrong, J.

B153290 Khybrette Neal
v.
Health Net, Inc. Foundation

Filed order denying petition for rehearing.

DIVISION FIVE (Continued)

B146239 Carol Deeter (Not for Publication)
v.
Patrick McNicholas, et al

The judgment is reversed. Appellant(s) to recover costs.

Mosk, J.

I concur: Grignon, Acting P.J. (opinion)
I concur: Armstrong, J. (opinion)

B150903 People (Not for Publication)
v.
Daniel Douglas Larson

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
Grignon, J.

B143162 Lewis Jorge Construction Management, Inc.
v.
Pomona Unified School District

Filed order granting petition for rehearing. Cause will be resubmitted at
4:30 p.m. on August 26, 2002.

B152070 Carlo & Dana Z.
v.
Jeffrey C.

Filed order denying petition for rehearing.

DIVISION SIX

B147405 Kaufer & Gardner
v.
Chicago Title Insurance Company

Filed order denying petition for rehearing.

DIVISION SEVEN

[illegible]

The judgment is reversed and remanded to the trial court for further proceedings to determine the proper apportionment of attorney's fees incurred in connection with the litigation of only the contract claims dismissed on demurrer. The judgment is affirmed in all other respects. Respondent's request for attorney's fees on appeal is denied. Each party to bear its own costs on appeal.

Woods, J.

We concur: Lillie, P.J.
Perluss, J.

B156281 Los Angeles County, D.C.S. (Not for Publication)
v.
Dareion H.,
In re Dareion H.,

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Perluss, J.

August 19, 2002-(Continued)

DIVISION EIGHT

B149734 People
 v.
 Suen

Filed order denying petition for rehearing.